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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/536,615	01/30/2006	Kym John Keightley	1849023US1ANP	9089

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Joseph A Sebolt
Sand & Sebolt
Aegis Tower Suite 1100
4940 Munson Street NW
Canton, OH 44718-3615

EXAMINER	
BOSWELL, CHRISTOPHER J	
ART UNIT	**PAPER NUMBER**
3676	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/536,615	KEIGHTLEY, KYM JOHN	
	Examiner	Art Unit	
	Christopher Boswell	3676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 November 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 November 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claim 10 is objected to because of the following informalities: In line 16, the limitation "said piston first position" is recited; the examiner believes this limitation to be --said coupling member--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by International Application WO 01/88315 to Keightley.

Keightley teaches a dual lock apparatus including a locking bolt (14) moveable between an extended position outwardly and a second position inwardly, the apparatus including a slider (32) moveable between a first position and a second position and including a first end associated with the locking bolt such that movement of the slider causes corresponding movement of the locking bolt, and a second end associated with a key lock (52) and a motor lock (74) whereby independent operation of the first and motor lock is controlled by a clutch mechanism (mechanism established from components 62 and 80), the clutch mechanism including an aperture (opening in which the clutch mechanism extends through, as seen in figure 9) which

extends through the slider and a coupling member (62) moveable between at least a first and second position within the slider aperture, the motor lock including a slidable member (68) moveable between a first and second position, the member including an outwardly biased locking member (80) adapted to engage the slider aperture to thereby mechanically connect the motor lock with the slider to thereby effect movement of the slider upon movement of the member, the key lock including a rotatable cam (54) such that when rotated the cam acts against the piston to thereby move the coupling member from the first position to the second position to thereby mechanically connect the key lock with the slider to thereby effect movement of the slider, as in claim 1.

Keightley teaches the dual lock apparatus wherein the key lock disengages the motor lock (page 5, lines 10-14), as in claim 2, as well as the key lock has locked the locking bolt, the motor lock cannot lock the locking bolt (page 10, lines 5-14), as in claim 3, and the motor lock is electrically driven (page 8, lines 6-10), as in claim 4, and where the key lock is a key activated locking means (52) while the motor lock is an electromechanical locking means (74), as in claim 5, and where both the key lock and the motor lock are key activated (page 12, lines 16-19), as in 6, additionally the slider interacts with the locking bolt so as to move into the first position (via groove 38), and the slider resists withdrawal of the locking bolt (via slot 44), as in claim 7.

Keightley teaches a dual lock apparatus including a locking bolt (14) moveable between a first locked position to engage with an external restraining means and a second unlocked position, the apparatus including a slider (32) adapted to interact with the locking bolt so as to move it into the first and second position, the slider including at one end an aperture (opening in

which the clutch mechanism extends through, as seen in figure 9) extending perpendicularly to the direction of motion of the slider, the aperture adapted to house a slider abutment member (62), the slider abutment member being moveable between a first position (figures 5d and 5e) whereby a surface of the slider abutment member is flush with a surface of the slider and a second position (figure 9) whereby the surface of the slider abutment member is housed within the aperture, a carriage (48) associated with the slider, the carriage including an abutment surface (50) the carriage further being moveable between a first position wherein the slider is located in the slider second position, and a second position thereby urging the slider into the slider first position, a key lock (52) having a rotatable cam (54) such that when rotated in a first direction so as to act against the carriage abutment surface thereby urging the carriage into the carriage second position and the slider abutment member into the first position to thereby urge the slider towards its first position and thereby outwardly extend the locking bolt, and when the cam is rotated in an opposite direction it acts to thereby urge the slider towards its second position to thereby inwardly retract the bolt, and a motor lock (74) capable of being activated independent of the key lock and including a moveable member (68) associated with the slider and being moveable between a first position whereby the locking bolt is inwardly retracted and a second position whereby the locking bolt is outwardly extended, the moveable member including a rack cavity (76) that houses (via element 82) an outwardly biased pin (80) and being moveable between a first and a second position, in the first position (figure 5a) the pin engaging with the slider aperture to thereby effectively mechanically couple the motor lock to the slider and thus the locking bolt and in the second position (figure 5i) the pin forced into the rack cavity whereby

the slider may freely move to thereby effectively decouple the motor lock from the slider, this occurring when the slider abutment member is in the member first position, as in claim 8.

Keightley teaches the dual lock apparatus further comprising a biasing member (85) and wherein when the cam discontinues urging of the carriage, the biasing member acts upon the pin to return it to the first position upon alignment of the pint the slider aperture, as in claim 9.

Keightley teaches a dual lock apparatus of the type including a locking bolt (14) moveable between a first locked position and a second unlocked position, the bolt movement corresponding with longitudinal movement of a slider (32), the apparatus including a key locking means (52) and a motor locking means (74) capable of operating independently of one another, the key locking means including a rotatable cam (54) such that when rotated the cam acts against a moveable coupling member (62) to thereby move the coupling member from a first position (figure 5a) to a second position (figure 5i) in which the motor locking means becomes disengaged from the slider and further rotation of the cam urges longitudinal movement of the slider (via slot 38), the motor lock including an electric motor (74) in geared connection to a member (68) moveable between a first position and a second position corresponding with the respective locked and unlocked positions of the locking bolt, the member including an outwardly biased pin (80) adapted to engage a cylinder (the outwardly biased pin engages with the abutment surface 50 which is substantially cylindrical in shape) associated with the coupling member and thereby urge the coupling member into the coupling member first position to thereby mechanically couple the motor lock with the slider, as in claim 10.

Response to Arguments

Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to dual lock mechanisms:

> U.S. Patent Number 6,983,962 to Keightley, U.S. Patent Number 6,964,183 to Keightley, U.S. Patent Number 6,612,141 to Bates et al., U.S. Patent Number 6,581,426 to Bates et al., U.S. Patent Number 6,546,769 to Miller et al., U.S. Patent Number 6,418,763 to Huang, U.S. Patent Number 6,354,121 to Frolov, U.S. Patent Number 6,012,310 to Hsiao, U.S. Patent Number 5,987,945 to Ruano Aramburu, U.S. Patent Number 5,044,184 to Herbers et al., U.S. Patent Publication Number Number 2005/0183480 to Hingston et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Boswell whose telephone number is (571) 272-7054. The examiner can normally be reached on 9:00 - 4:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on (571) 272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Christopher Boswell
Examiner
Art Unit 3676

CJB
February 26, 2007

Suzanne Dino Barrett
Primary Examiner